

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

CINTZ COMMERCIAL PROPERTIES, LP,  
et al.,

Defendants.

Case No. 18-cv-05550-SVK

**ORDER REOPENING CASE, LIFTING  
STAY, AND DIRECTING PARTIES TO  
MEET AND CONFER ON BRIEFING  
SCHEDULE**

The Court stayed this case pending resolution of an appeal in N.D. Cal. Case No. 3:17-cv-02454-WHA and required the parties to submit a joint status report within 14 days of resolution of the appeal. *See* Dkt. 43. The Court also directed the Clerk to administratively close the case. *Id.* Although the parties have failed to file a status report in this case, the parties have filed joint status reports in other cases confirming that the appeal has been resolved. *See, e.g., Johnson v. Sun Garden Center 1, LLC*, Case No. 5:18-cv-4402-SVK, at Dkt. 47. Accordingly, the Court directs the Clerk of Court to **REOPEN** this case, and the stay in this case is hereby **LIFTED**.

The parties' status report in other cases identifies a disagreement between the parties as to whether the Ninth Circuit's recent rulings resolve the issues in this case. *See id.* The Court notes that the parties have filed similar status reports in other cases and have been ordered to meet and confer to agree upon a schedule for briefing on issue preclusion. *See, e.g., Johnson v. Starbucks Corp.*, N.D. Cal. Case No. 3:16-cv-06792-SK, at Dkt. 86; *Johnson v. Starbucks Corp.*, N.D. Cal. Case No. 3:18-cv-1134-TSH, at Dkt. 64. Accordingly, the Court **ORDERS** that by **September 29, 2020**, the parties shall meet and confer by video conference to discuss a schedule for briefing on issue preclusion. By **October 2, 2020**, the parties shall file a stipulation, or if they cannot agree, separate proposals for a briefing schedule.

**SO ORDERED.**

Dated: September 17, 2020



SUSAN VAN KEULEN  
United States Magistrate Judge